

Amendment No. 1 to HB1855

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1792*

House Bill No. 1855

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-518, is amended by deleting subdivision (a)(2) and substituting:

(2) "Sexual abuse of a child" means to commit an act upon a minor child that is a violation of:

(A) Aggravated rape pursuant to § 39-13-502, if the child is more than thirteen (13) but less than eighteen (18) years of age;

(B) Rape pursuant to § 39-13-503, if the child is more than thirteen (13) but less than eighteen (18) years of age;

(C) Aggravated sexual battery pursuant to § 39-13-504;

(D) Rape of a child pursuant to § 39-13-522;

(E) Sexual battery by an authority figure pursuant to § 39-13-527;

(F) Soliciting sexual exploitation of a minor pursuant to § 39-13-529(a);

(G) Aggravated rape of a child pursuant to § 39-13-531;

(H) Statutory rape by an authority figure pursuant to § 39-13-532;

(I) Trafficking for a commercial sex act pursuant to § 39-13-309, if the victim is a minor; or

(J) Promoting prostitution pursuant to § 39-13-515, if the victim is a minor.

SECTION 2. Tennessee Code Annotated, Section 39-13-518(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

(1) A violation of subsection (b) is a Class A felony if three (3) or more of the acts of sexual abuse of a child constitute violations of the following offenses:

(A) Aggravated rape pursuant to § 39-13-502, if the child is more than thirteen (13) but less than eighteen (18) years of age;

(B) Rape pursuant to § 39-13-503, if the child is more than thirteen (13) but less than eighteen (18) years of age;

(C) Aggravated sexual battery pursuant to § 39-13-504;

(D) Rape of a child pursuant to § 39-13-522;

(E) Soliciting sexual exploitation of a minor pursuant to § 39-13-529(a);

(F) Aggravated rape of a child pursuant to § 39-13-531;

(G) Trafficking for a commercial sex act pursuant to § 39-13-309, if the victim is a minor; or

(H) Promoting prostitution pursuant to § 39-13-515, if the victim is a minor.

(2) A violation of subsection (b) is a Class B felony if two (2) of the acts of sexual abuse of a child constitute violations of offenses listed in subdivision (c)(1).

(3) A violation of subsection (b) is a Class C felony if one (1) of the acts of sexual abuse of a child constitutes a violation of an offense listed in subdivision (c)(1).

(4) A violation of subsection (b) is a Class C felony if at least three (3) of the acts of sexual abuse of a child constitute violations of the offenses of sexual battery by an authority figure pursuant to § 39-13-527 or statutory rape by an authority figure pursuant to § 39-13-532.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.